A SURE CURE

FOR THE

TETOTAL MANIA,

AND A

QUIETUS

FOR THE

MAINE LIQUOR LAW.

BY G. J. BEEBE.

MIDDLETOWN, N. Y.

Printed and Published by the Author.

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TO THE READER.

When it is considered that millions of folios devoted to the dissemination of the doctrines and delusions of the Total Abstinence fanaticism have been poured forth upon the community for a series of years, it is no matter of surprise that thousands of well-meaning men have been deceived and innocently led to lend their influence to its furtherance, and to contribute liberally to the circulation of pamphlets, tracts and newspapers devoted to its advancement, as well as to the support of hundreds of hireling emissaries, as lecturers. It is rather a matter of surprise that these who entertain clearer ideas of the subject, whose characters have been assailed in the most unmeasured terms, and thousands whose business interests were threatened with destruction, in the whirlwind of fanatical revolution, should have have so long lain dormant, and neglected to avail themselves of the mighty influence of the press, to undeceive the public and set themselves right in the eyes of their fellow-men. Reposing in confident reliance upon the supposed security afforded by our free institutions and constitutional guaranties, while the foes of our rights and liberties have been actively engaged in manufacturing public opinion, with the zeal and want of knowledge which ever attends fanaticism, we have not been aroused from our lethargy until the proud standards of three of our sister states have bowed before the storm, and the rights of their citizens have been trampled upon by the perpetration of tyrannical outrages, only paralleled in the darkest ages of despotic sway. But little has yet been done to undeceive the public and curb the mad career of fiery zealots and soulless demagogues, who are attempting to involve our community in the worst calamities that can afflict civilized society, under the pretence of philanthropy and benevolent professions, always assumed by usurpers of popular rights. There are, however, a sufficient number of intelligent freemen, tenacious of their boasted liberties, to turn back the tide of error and evil that threatens to overwhelm our land, if they can in time be aroused to a realizing sense of the impending danger. Let but a hundreth part of the labor and zeal expended in spreading the tetotal delusion be applied to its correction and it would soon recede. Let every enlightened patriot, then, lend his aid in the undertaking. *The crisis is upon us! and the time has come, when we must either yield, or defend our rights!* "Eternal vigilance is the price of liberty." Let the alarm then be sounded, and knowledge and truth be disseminated, by means of public meetings or publications exposing the abominable absurdities and ruin-fraught consequences of the Tetotal Mania. Such is the object of this publication, and if it be regarded useful for this high purpose, by the reader, his co-operation is expected in extending its circulation, to facilitate which it will be seen by reference to the advertisement upon the cover, that the price for large numbers is greatly reduced. Let it be remembered that upon the one side are zealous secret organizations extending throughout our country, while upon the other there is no other reliance than upon individual action, or such union of effort as may be readily attained in each neighborhood. But little effort or expense would place this or any useful publication of the kind in the hands of every citizen of the various vicinities in which it may be introduced. A single vote

once elected a governor in opposition to the Fifteen Gallon Law of Massachusetts, and the destinies of states often turn upon the energy of a single citizen. Every man has a duty to perform.

Let none be deceived! The most determined attempts will be made at the ensuing sessions of the legislatures of almost every State of the Union to carry through a law similar to that of Maine, and nothing but the timely arousal of the people will arrest it. Coalitions will be formed with either the political parties, in different neighborhoods, to secure the nomination of candidates secretly pledged to the measure. Let every lover of civil and religious liberty look well to the character of the candidate to whom he gives his suffrage for the high trust of state legislator, and do all in his power to enlighten the public mind upon an issue more important than any that divides the political parties of the day. Circulate the right kind of documents. See to it in time.

A little timely exertion may save us from the manifold disasters, outrage and oppression, that cannot fail to attend the enactment of such a despotic law as that with which we are threatened. All good citizens generally, and those whose property and business is jeopardized especially, are called upon by every just consideration, to be wise in time—for all experience and reason teaches us that while such laws cannot suppress intemperance or banish the traffic in liquors from the hands of contraband dealers, it may involve individuals and states in immense expense and losses, litigations at law, personal collisions, breaches of the peace, imprisonment and bloodshed.

ERRATA.

On page 21, instead of Nehemiah v. 2, read v 11.
On page 22, instead of Judges xix. 9, read xix. 19.
On page 22, instead of 2 Samuel vii. 19, read vi. 19.
On page 22, instead of Song of Sol. i. 5, read v. 1.
The reference of the following quotation is omitted—Deut. xiv. 26. On page 22, instead of Matt. ix. 19, read xi. 19.

A SURE CURE FOR THE TETOTAL MANIA

AND A QUIETUS FOR THE

MAINE LIQUOR LAW.

CHAPTER I.

Temperance a virtue and Intemperance a folly inflicting its own punishment—The natural right of men to regulate their own eating and drinking, and the impropriety of legislation relative thereto—Morality not the fruit of force.

The virtue of Temperance, in eating, drinking, exercise and repose, as well as in everything else to which we are accustomed, none will question or dispute.—Excess in anything is to a greater or less extent injurious, and the enemy of the true enjoyment of any pleasure, luxury or blessing. Whatever pleasure or enjoyment may be produced by moderate use or indulgence in any drink, diet or practice, intemperance or excess will convert into bane and misery. This is neither more nor less true relative to spirituous or other beverages than as to anything else. The same drink or diet which, when moderately indulged in, will be pleasurable to the taste, and beneficial to health, will, if immoderately taken, cloy and become loathesome, and, like the beautiful apples of Sodom, turn to ashes upon the lips, while, at the same time, instead of promoting health, it will generate disease and pain. The same amount of either, however, which would be moderate and healthful to one person, would be excessive and hurtful to another, of different constitution and temperament. Indeed, that which is palatable and nourishing to one person may be absolutely insipid and injurious to another. Drugs or medicines, for instance, the administration of which would speedily restore a patient, suffering under the severest malady, to sound health, if taken by another, laboring under a different though less dangerous disease, would soon consign him to an untimely grave. From these reflections it is evident that every one who has reached the years of maturity, must choose for himself such diet and drink as he may desire or deem best adapted to his welfare and happiness. For this purpose he is endowed by his Creator with reason to guide and certain tastes or instincts to direct him, the free exercise of which is among his "natural inalienable rights," with which his fellow men or government have no right to meddle, and with which none but tyrants or conceited and misguided fanatics would desire to interfere.

It may be urged in reply that the natural tastes or instincts of men are not infallible, and that many do not heed the light of reason implanted within them, and that frequently they are injured by excess or by the use of that which is altogether unfitted for them. This is true with regard to spirituous liquors; but it is no less true in regard to diet, exercise, bathing, business pursuits, industry idleness, and everything else to which we are accustomed or with which we are acquainted. Yet, who would think of or advocate laws to be enforced by fine and imprisonment, for regulating what and how much one shall eat, the extent to which he shall take exercise, and of what kind it shall be, how frequently he

shall bathe, and whether in warm, cold, fresh or salt water; what business pursuits he shall or shall not engage in—how many hours per day and how hard he shall labor, and what portion of his time he shall abstain from labor and be idle—or that he shall or shall not at any time be idle? There would be as much sense in laws regulating all these affairs, as in regulating the kinds of drink a man shall take, and in what state of bodily health or disease he shall take them.

The law recently enacted in the State of Maine, and essentially adopted in Massachusetts and Rhode Island, provides an office in each town to deal out spirituous liquors, the incumbents of which are appointed State officers to determine who only shall drink spirituous liquors and when and of what kind.—Why not with equal propriety appoint commissaries in every town to regulate the kind and quantity of food each person shall eat? Gymnasian masters to regulate the daily exercise to be taken by each citizen? Hydropathian professors to prescribe the kind and frequency of bathing or washing? Overseers and taskmasters, to select a business employment for each individual, and apportion to him the amount of labor he shall perform and how he shall dispose of the remainder of his time?

Should the sapient legislators of Maine or other States adopting its new law, be inclined to profit by our suggestion, and extend the principle which they have adopted as a basis of legislation to the matters to which we have alluded, they will be but a small way upon the new sphere of legal operations upon which they have entered. They will next have to make war upon Tea and Tobacco—and who can picture the terrible onslaugh upon the tea-pots, snuff boxes, pipes and pigtail? When all these shall have been overcome, vanquished, consumed and consigned to the Tombs of the Capulets, it will next be necessary to investigate the costumes and apparel of community—as thousands of fair ladies have been hurried from the world by the use of thin shoes, an awful picture of the reform rushes upon the mind's eye, of delicate ancles encased in coarse brogans, by force of law, clattering along our sidewalks and shuffling over the floors where erst were seen the "trippings of the light fantastic toe." But if we step from the street and parlor to the toilet-rooms of the fair ones of our land, we must there behold a government official necessarily in attendance to draw their corset strings, and see that the law in such case made and provided against tight-lacing be not violated. Indeed we fear that under the new system of legal reform and governmental vigilance over the health of the community, the delicate belles of our fashionable circles would be escorted by the stern officers of the law from the soothing strains of their Pianos, and luxury of soft carpets, ottomans, sofas and rockers, to the uncarpeted kitchen and set to peeling potatoes, and learning the use of the washtub and scrubbing-brush. As cleanliness is one of the most indispensible essentials to health, under the new system of legal reform and health superintendence we shall also expect to see knights of the soap and towel, perambulating our streets to catch the "*great unwashed democracy*," and give them *per force* a thorough scouring—followed, of course, by knights of less degree, with comb and brush, to kill the vermin and smooth the flowing locks. Delightful picture to dwell upon! but let none for a moment deem it inappropriate or overdrawn.—Careful examination and reflection will convince all that excessive or improper diet, too much or too little exercise, bathing or sleep, business of an unhealthy nature, illy ventillated rooms, thin shoes, tight-lacing, filth and vermin, as well as the use of tobacco, tea, coffee, &c., have each impaired the health and destroyed the lives of thousands, and that the legislators of our States have just as much

rignt to interfere and appoint officers for their regulation, as to inhibit or appoint officers to limit and prescribe the use of alcoholic drinks. Indeed if the latter be right and proper for them to do —all the former follow as matters equally appropriate for legislation, upon the principle of State superintendence of and provision for the bodily health and welfare of its citizens.

If, however, the right of legislative action in the matter of spirituous liquors be claimed on the ground of morality, the principle sought to be established is, if possible, still more absurd. Morality is not the work of legislation or physical force—it must spring from the internal impulse of the heart or be inculcated by kindness and persuasion. If a man is foolish enough to injure himself by the use of spirituous liquors, opium or tobacco, he is punished by the unfailing laws of nature: for he feels the painful effects of his abuse throughout his entire system. Although we may lament his weakness and folly, we have no right to interfere with him unless he does something to infringe or endanger the rights of others. So with regard to lying—the folly and immorality of which all will admit—but no government has ever been silly enough to attempt its suppression by force, except in such cases as the rights of others are infringed—as, for instance, where fraud is practised whereby others have been wronged, or when a person has been called as a witness to testify in a court of justice relative to matters affecting the rights of others. So with profane swearing, noisy or rowdyish conduct, and immorality of every species whereby none are affected but the perpetrator, the State has no right to interfere; but if the same things be enacted at a time and place in which others are annoyed or injured in their rights, they become culpable offences justly subjecting the offender to punishment. If, however, our legislatures are to overstep the boundary line of their appropriate field of action, and attempt to punish immorality, *per se*, even where the rights of others are not infringed or prejudiced, why should they stop half way? If men may be made virtuous and moral by the force of law, why not make them wholly so, and legislate them to heaven at once?

CHAPTER II.

Signal Failure of attempts to Prohibit the Sale and Use of Spirituous Liquors in Great Britain—Increase of the quantity consumed, notwithstanding 12,000 *Convictions!*

We have thus shown that the principle sought to be incorperated with statute law, and already adopted by the legislatures of Maine, Rhode Island and Massachusetts, leads to a labyrinth of intricacy and confusion, that could result in nothing short of an intolerable tyranny, which no community would long submit to. Even if temporarily enforced as rigidly as possible, the immediate consequence would be the most embittered feelings and animosities among neighbors—expensive litigation without limit, attended by its natural concomitants of private revenge and public rebellion—fines, imprisonment and bloodshed.—The utter impossibility of prohibiting the production, use or sale of a commodity, with the elements essential to produce which the earth teems in profusion, is fully attested, no less by experience than sound reason. In evidence of this it is only necessary to refer to the attempt made in Great Britain to suppress the use of spirituous liquors by prohibitory duties, during and since the reign of George I., the history of which is thus given in McCulloch's Com'l. Dictionary:

"During the latter part of the reign of George I., and the earlier part of that of George II., gin-drinking was exceedingly prevalent; and the cheapness of ardent spirits, and the multiplication of public houses, were denounced from the pulpit, and in the presentments of grand juries, as pregnant with the most destructive consequences to the health and morals of the community. At length, ministers determined to make a vigorous effort to put a stop to the further use of spirituous liquors, except as a cordial or medicine. For this purpose an act was passed in 1736, the history and effects of which deserve to be studied by all who are clamorous for an increase of the duties on spirits. Its preamble is to this effect:—'Whereas the drinking of spirituous liquors, or strong water, is become very common, especially among people of lower and inferior rank, the constant and excessive use of which tends greatly to the destruction of their health, rendering them unfit for useful labor and business, debauching their morals and inciting them to perpetrate all vices; and the ill consequences of the excessive use of such liquors are not confined to the present generation, but extend to future ages, and tend to the destruction and ruin of this kingdom.' The enactments were such as might be expected to follow a preamble of this sort. They were not intended to repress the vice of gin-drinking but to root it out altogether.—To accomplish this, a duty of 20 *shillings* ($5,) a gallon was laid on spirits, exclusive of a heavy license duty on retailers. Extraordinary encouragements were at the same time held out to informers, and a fine of 100*l*, was ordered to be rigorously exacted from those who, were it even through inadvertancy should vend the smallest quantity of spirits which had not paid the full duty. Here was an act which might, one should think, have satisfied the bitterest enemy of gin. Bnt instead of the anticipated effect, it produced those directly opposite. The respectable dealers withdrew from a trade proscribed by the legislature; so that the spirit business fell into the hands of the lowest and most profligate characters, who, as they had nothing to lose, were not deterred by penalties from breaking through all its provisions. The populace having in this, as in similar cases, espoused the cause of the smugglers and unlicensed dealers, the officers of the revenue were openly assaulted in the streets of London and other great towns; informers were hunted down like wild beasts; and drunkenness, disorders and crimes increased with a frightful rapidity.

'Within two years of the passing of the act,' says Tindal, 'it had become *odious and contemptible*, and policy as well as humanity, forced the commissioners of excise to mitigate its penalties.'—(*Continuation of Rapin*, vol. viii. p. 358. ed. 1759.) The same historian mentions (vol. viii. p. 390.), that during the two years in question, no fewer than 12,000 persons were convicted of offences connected with the sale of spirits. But no exertion on the part of the revenue officers and magistrates could stem the torrent of smuggling. According to a statement made by the Earl of Cholmondeley, in the House of Lords, (*Timberland's Debates in the House of Lords*,—vol. viii. p. 388,) it appears that at the very moment when the sale of spirits was declared to be illegal, and every possible exertion made to suppress it, upwards of SEVEN MILLIONS of gallons were annually consumed in London, and other parts immediately adjacent! Under such circumstances, government had but one course to follow—to give up the unequal struggle. In 1742, the high prohibitory duties were accordingly repealed, and such moderate duties imposed, as were calculated to increase the revenue, by increasing the consumption of legally distilled spirits. The bill for this purpose was vehemently opposed in the House of Lords by most of the Bishops, and many other peers, who exhausted all their rhetoric in depicting the mischievious consequences that would result from a toleration of the practice of gin-drinking. To these declamations it was unanswerably replied, that whatever the evils of the practice might be, it was impossible to repress them by prohibitory enactments; and that the attempts to do so had been productive of far more mischief than had ever resulted, or could be expected to result, from the greatest abuse of spirits. The consequences of the change were highly beneficial. An instant stop was put to smuggling; and if the vice of drunkenness was not materially diminished, it has never been stated that it was increased.

But it is unnecessary to go back to the

reign of Geo. II. for proofs of the impotency of high duties to take away the taste for such an article, or to lessen its consumption. The occurrences that took place in the late reign, though they would seem to be already forgotten, are equally decisive as to this question.

Duties in Ireland—Perhaps no country has suffered more from the excessive height to which duties on spirits have been carried than Ireland. If heavy taxes, enforced by severe fiscal regulations, could make a people sober and industrious, the Irish would be the most so of any on the face of the earth. In order to make the possessors of property join heartily in suppressing illicit distillation, the novel expedient was here resorted to, of imposing a heavy fine on every parish, town land, manor land, or lordship, in which an unlicensed still was found; while the unfortunate wretches found working in it were subjected to *transportation for seven years*. But instead of putting down illicit distillation, these un-heard-of severities rendered it universal, and filled the country with bloodshed, und even rebellion. It is stated by the Rev. Mr. Chichester, in his valuable pamphlet on the *Irish Distillery Laws*, published in 1818, that 'the Irish system seemed to have been formed in order to perpetuate smuggling and anarchy. It has culled the evils of both savage and civilized life, and rejected all the advantages which they contain. The calamities of civilised warfare are, in general, inferior to those produced by the Irish distillery laws; and I doubt whether any nation of modern Europe, which is not in a state of actual revolution, can furnish instances of legal cruelty commensurate to those which I have represented.'—(Pp. 92—107.)

These statements are borne out to the fullest extent by the official details in the *Reports of the Revenue Commissioners*. In 1811, say the commissioners (*Fifth Report*, p. 19.) when the duty on spirits was 2*s*. 6*d*. a gallon, duty was paid in Ireland on 6,500-391 gallons [Irish measure]; whereas, in 1822, when the duty was 5*s*. 6*d*., only 2, 950,647 gallons were brought to the charge. The commissioners estimate, that the annual consumption of spirits in Ireland was at this very period not less than TEN MILLIONS of gallons; and 'as scarcely *three* millions paid duty, it followed that *seven* millions were illegally supplied; 'taking *one* million of gallons as the quantity fraudulently furnished for consumption by the licensed distillers, the produce of the unlicensed stills may be estimated at *six millions of gallons*.'—(*Ib.* p. 8.) Now, it is material to keep in mind that this vast amount of smuggling was carried on in the teeth of the above barbarous statutes, and in despite of the utmost exertions of the police and military to prevent it; the only result being the exasperation of the populace, and the perpetration of revolting atrocities both by them and the military. 'In Ireland,' say the commissioners, 'It will appear from the evidence annexed to this Report, that parts of the country have been absolutely disorganised, and placed in opposition not only to the civil authority, but to the military force of the government. The profits to be obtained from the evasion of the law have been such as to encourage numerous individuals to persevere in these desperate pursuits, notwithstanding the risk of property and life with which they have been attended.'

To put an end to such evils, the commissioners recommended that the duty on spirits should be reduced from 5*s*. 6*d*. to 2*s*. the wine gallon (2*s*. 4*d*. the imperial gallon), and government wisely consented to act upon this recommendation. In 1823, the duties were accordingly reduced; and the official account will show what has been the result of this measure.

It may appear on a superficial view of this Table, as if the consumption of spirits in Ireland had been nearly trebled since 1823; but, in point of fact, it has not been in any degree increased. The reduction of the duties substituted legal for illicit distillation, and freed the country from the perjuries and other atrocities that grew out of the previous system; but it would be wholly erroneous to say that it increased drunkenness. We have already seen that the commissioners, who had the best means of obtaining accurate information, estimated the consumption of spirits in Ireland, in 1823, at ten millions of gallons; and it was not more in 1828 and 1829.—The measure was therefore, in every point of view most successful; and it is much to be regretted that it was interfered with in 1830, by raising the duties from 2*s*. 10*d*. to 3*s*. 4*d*. The following Table shows that

this increase has materially diminished the quantity of spirits brought to the charge. We do not, however, believe that it has occasioned any diminution of consumption. The truth is, that 2*s*. 10*d*. was as high a duty as the article would bear; and the additional 6*d*. has again thrown the balance in favor of the smuggler, and led to a partial revival of illicit distillation. The evidence taken before the commissioners of excise inquiry has completely established this fact; and sound policy would, therefore, suggest that the duty should be once more reduced to 2*s*. 10*d*. At all events, we trust that not no senseless, though well-meant clamor about the prevalence of drunkenness, and no pecuniary necessity, will ever tempt ministers to add further to the duties on spirits. Such a measure would not bring a shilling into the public treasury, nor cause diminution of the vice of drinking; it would merely add smuggling and its attendant evils to the disorders with which Ireland is afflicted.

Duties in Scotland.—The experience of Scotland is hardly less decisive as to this question. The exorbitancy of the duties produced nearly the same effects there as in Ireland. Mr. John Hay Forbes, formerly sheriff-deputy of Perthshire, now one of the Lords of Session, stated in evidence before the commissioners, that, according to the best information that he could obtain, the quantity of illegally distilled spirits annually produced in the highlands could not amount to less than two *millions of gallons*. In corroboration of this he stated, that, in 1821, only 298,138 gallons were brought to the charge in the Highlands; and of these, 254,000 gallons were permitted to the Lowlands, leaving only 44,000 gallons for the consumption of the whole country;—a supply which, we are well assured, would hardly be sufficient for the demand of 2 moderately populous parishes. In a letter of Captain Munro of Teaninich to the commissioners, it is stated that, 'at Tain, where there are upwards of twenty licensed public houses, *not one gallon had been permitted from the legal distilleries for upwards of twelve months*,' though a small quantity of smuggled whiskey had been purchased at the excise sales, to give a color of legality to the trade.—The same gentleman thus expresses himself in another part of his letter:—'The moral effects of this baneful trade of smuggling on the lower classes is most conspicuous, and increasing in an alarming degree, as evidenced by the multiplicity of crimes, and by a degree of insubordination formerly little known in this part of the country. In several districts, such as Strathcannon, Strathcarron, &c., the excise officers are now often deforced, and dare not attempt to do their duty; and smuggled whiskey is often carried to market by smugglers escorted by *armed* men, in defiance of the laws. In short, the Irish system is making progress in the Highlands of Scotland.'

To arrest the progress of demoralization, government, pursuant to the judicious advice of the commissioners, reduced the duties on Scotch to the same level as those on Irish whiskey; and the consequences were equally salutary.—*McCulloch's Commercial Dictionary. Artiele, Spirits.*

Thus it will be seen from the impartial teachings of history, written long anterior to the origin of the present Abstinence Mania, in cool moments, unexcited by the fever of fanaticism, that a country possessing the most powerful and efficient police and standing armies, found itself utterly unable to reduce the consumption of liquors by the most positive, ingeniously devised and highly penal enactments intended to effect its eradication. On the contrary, we find that although the law was most rigidly enforced, and the unremitting diligence of the police and the almost exclusive attention of the courts were engaged in its execution, so that in less than two years **12,000 *Convictions*** occurred under it, and as a consequence thousands of citizens were imprisoned and thousands of families were beggared by its operation and the penalties inflicted by it, that the traffic in and use of the proscribed commodities were increased instead of being even diminished—much less exterminated. Man, however, seems strangely prone to learn little or nothing from the lessons of experience, and, accordingly we find the same attempt frequently repeated since by the British Government in every form and

upon every conceivable plan, but with the same or even worse results, the detailed history of each of which instances the limits of our pamphlet will not allow us to give—nor, indeed, does it seem necessary, as the nature of man is in all ages the same, and the same or similar results may be not only expected, but absolutely known to attend the same or similar causes.

It is proper to remark, however, that the British Government seems, at length, to have learned wisdom from experience, as her majesty, Queen Victoria, recently vetoed a law passed by the legislature of her colony of New Brunswick, (adjoining the state of Maine,) similar to the new law of that state, alleging that *its provisions were inconsistent with the liberties of British subjects.* Are the freeborn citizens of our republic prepared to submit to a law admitted by a crowned head to be too despotic and tyrannical for her colonial subjects ?

CHAPTER III.

Failure of the various Attempts to Suppress the Sale and Use of Spirituous Liquors in the United States, and the numerous Evils resulting therefrom.

After the signal failure of all attempts in the more despotic government of Great Britain, having less territory and guarded by a tenfold more numerous police than our own country, ready to obey the arbitrary orders of government, and independent of the people in the exercise of their office, it would hardly be supposed, that the people of the United States, emancipated from arbitrary despotism and established under a republican form of government, would ever think of repeating the futile and worse than foolish attempt to abolish the use of a beverage which has been indulged in by all nations of the earth, from their earliest history known to us.

It was, indeed, more than half a century after the attainment of our independence, that any endeavor of the kind was known, or any idea of its possibility conceived. Our government was founded on the equal rights and privileges of man, and while the great truths enunciated in the Declaration of Independence were fresh in the minds of all, none, for a moment, entertained the thought of one portion of our citizens judging their neighbors and equals in their meats and drinks, or in the exercise of their clear natural rights. Such a thought would have been deemed treason to the principles upon which the republic was based. It was based on the assumption of certain inalienable rights, among which were *life, liberty and the pursuit of happiness* by such means as might seem best to each citizen. This was the grand essential particular in which it differed from the monarchial and priestly governments of the old world, where the aristocracy and ruling dynasties, assumed to determine for the people what was for their temporal good, and to rule them accordingly, while popery and ecclesiastical establishments assumed to prescribe for the eternal happiness of citizens, and under these pretences to tyrannize over and persecute all who resisted their professedly humane and pious efforts. The blood of millions of victims to this monarchial and priestly principle cries aloud with fearful warning against the idea of permitting one class of men to judge another and to prescribe rules for their personal government, under pretence of precautions for their welfare, whether spiritual or temporal.

Among the earliest attempts made to suppress the sale and use of spirituous liquors in the United States, or rather

to prohibit all but wealthy persons from purchasing and using them, was the celebrated "*Fifteen Gallon Law,*" of Massachusetts. This law inhibited the retail of spirituous liquors in less quantities than fifteen gallons, except upon prescription by a regularly licensed physician, under severe penalties of fine and imprisonment. Could this law have been enforced, it would have limited the use of liquors as a beverage to such portion of community as were wealthy enough to purchase in large quantities, but this aristocratic distinction became so odious and unpopular that the law was almost universally disregarded, although the calendars of the courts were constantly crowded with cases prosecuted for its violation—the prisons filled with unhappy victims of its operation at the instigation of personal malice or zealous fanaticism, while their families were suffering at home for the want of their labor to sustain them—and almost every neighborhood agitated by the most virulent animosities, leading to innumerable breaches of the peace, personal collisions and private revenge. Perjuries and split juries, with their train of criminal convictions and heavy county expenses, were also among the unhappy results of this absurd law. The most respectable and responsible keepers of hotels were, it is true, in many cases, driven from openly selling at their bars, but the traffic was transfered with tenfold briskness to thousands of subterranean and obscure resorts, where the utmost vigilance of the police was eluded, and where clubs and coteries of citizens would assemble and carouse far more freely than they would have done in the public bar rooms of respectable hotels. Many, indeed, who had seldom before indulged in dissipation, were led to attest their disapprobation and defiance of a law justly deemed tyrannical and aristocratic, by frequently exercising what they deemed a clear natural right, which, if undisputed, they would have been content to hold dormant. At the next gubernatorial and legislative election after the Fifteen Gallon Law went into operation, with such disastrous results as we have thus hastily depicted, the people took the matter into their hands; and, although the political party which had previously been overwhelmingly in power in that State, nominated candidates for governor and Members of the Legislature, favorable to the law, the opposite party nominated an opponent of it (Gov. Morton,) who was elected Governor, with a large majority of Members of the Legislature opposed to the law, and it was consequently repealed at the ensuing session.

The next scheme of legislation for the suppression of the sale and use of liquors, to which we shall refer, was that of the State of New York, in 1845, which was also adopted, with slight variations, by several other States, about the same time,—with similar sad results, ultimating in speedy repeal. This scheme, which was urged with so much vehemence, and advocated so plausibly as to drive some before the storm of supposed popular sentiment and to deceive others by its subtle sophism, was this: To submit the question of "License" or "No License," to the people at the polls; and no licenses for the sale of liquors to be granted in towns in which a majority of the votes cast were "No License." In the excitement of the moment, many towns voted against licenses, under the impression that great blessings would arise from the banishment of bar-rooms from the precincts of a town. Many votes were also influenced by personal considerations and private piques, so that it is not very strange, that when the business of that class of citizens engaged in the liquor trade, was put up at the hustings to be disposed of by the votes of disinterested persons, enthusiastic bigots, personal enemies and a thoughtless rabble, there were majorities in many towns for breaking them up and leaving them

with their families, at short notice, to seek some new avocation for support, with depreciated tavern property upon their hands, encumbered, perhaps, and the mortgages foreclosed by cautious creditors. When the flagrant injustice and outrage of such a tyranical course was urged, it was answered that it was a republican principle that the majority should rule. Although this assumption is correct when applied to proper matters of government policy, it is utterly absurd when applied to cases of this kind, involving the individual rights of citizens. Majorities or mobs may be as tyranical as monarchs or oligarchies, and if despotism is to be the order of the day who would not rather be ruled by one tyrant than by a thousand? Suppose a majority of the citizens of a state should vote in favor of an equal division of property, would it therefore be right and republican, to take the property earned by one man or his ancestors and give it to his indolent and profligate neighbors?

One of the numerous paradoxical phenomena of this scheme of legislation, was that a cask of liquor might be placed across the line of two towns, one of which had voted "license" and the other "no license," and while it was no offence for it to be sold from a tap on the one side, under the ordinary license, to sell the same liquor from a tap on the other side of the same barrel was criminal and subjected the seller to heavy fines and imprisonment, from which his town had no board of excise vested with powers to protect him.

This illy conceived scheme was more disastrous in its operation, if possible, than the odious fifteen gallon law of Massachusetts; and it is scarcely necessary to add that it was promptly repealed, in all the various states in which it had been adopted, as well as New York, at the first opportunity afforded the people to vote upon it or to elect new legislatures, which they took good care should be of the right stamp to secure its nullification. But this could not restore the previous harmony and good feeling of society, which had been converted into a pandemonium by the operation of this silly law. Tedious and expensive litigation had been encountered and life-long animosities contracted, to run through many after years, bearing upon their current innumerable difficulties, dissensions and reciprocal acts of retaliation.

A calm and dispassionate survey of the effects of this law in New York and other States, in which it was successively adopted, put in force and invariably repealed, can reveal no good results whatever, in return for the millions of expenditure and losses attendant and consequent upon its adoption and enforcement. On the contrary, intemperance had greatly increased and the amount of liquors consumed was greater than before. So palpably evident was this, that the more intelligent portion of the advocates of the law were fully convinced, and concurred in the almost universal demand for its repeal. Towns that had given large majorities in favor of its adoption, at the very next election gave as large or larger majorities against it. Indeed for several years after the failure of this scheme, a man was rarely to be found expressing himself favorable to any further legislative agency for the suppression of intemperance,—all sensible men agreeing that whatever was to be done must be by moral suasion and voluntary action.

Patrick Henry said that he knew of no light by which his feet were to be guided but the lamp of experience; and if all men were endowed with his sagacity and wisdom, it would scarcely seem necessary, after the signal failure of all attempts in Europe and America, of every conceivable character, to suppress the sale and use of stimulating beverages, to multiply evidences of the absurdity of renewing the futile crusade. But there are yet, unfortunately, in every community, scores of demagogues desi-

rous of distinction, and ready to mount any hobby whatever by which they may hope to ride into power, while the mass of the people are ever ready for excitement, and soon forgetful of the lessons of experience, and ready to yield a cordial credulity to the plausible pretences and schemes of aspirants, and few years have elapsed ere we find many of them ready to re-enact the tragedy which has ever been attended by a train of the worst evils, without a single redeeming feature. Accordingly bills were brought into the legislature of New York and several other States, at their last session, in favor of essentially adopting the Maine Liquor Law, before an opportunity had been afforded for the test of time to place it among the long list of abortive experiments, that disgrace the history of the past. Fortunately, however, they were not adopted except in the States of Massachusetts and Rhode Island—where, as in Maine, they will make brisk business for the lawyers and courts, for a short time, heavy expenses for the tax-payers, annoying individual citizens in the enjoyment of their natural rights, and setting neighbors together by the ears, when, after a brief career, they will meet the fate of their numerous predecessors, in an emphatic repeal.

CHAPTER IV.

The revenue upon Imported Liquors greater than the Expense of Pauperism—The use of Alcoholic Liquors not a prolific source of Pauperism or Crime—Intemperance Prohibited, as far as laws can go, by the present statutes of New York and other States.

The more reasonable and intelligent portion of the modern advocates of Total Abstinence, generally, admit that it is not the province of government to interfere with the personal conduct of men, in matters affecting themselves only, and not infringing the rights of others; but, say they, the traffic in intoxicating liquors does interfere with the rights of others, inasmuch as it produces drunkenness and disorderly conduct, and imposes pauperism upon the families of inebriates, and taxes upon the community at large, for their maintenance, and for the trial, conviction and confinement of criminals, made so by the use of intoxicating drinks. Therefore, they claim the right of government to interfere for the suppression of the traffic. This argument is the strongest, and bears the greatest appearance of plausibility about it, of any ever urged by the advocates of prohibitory laws for the entire suppression of alcoholic beverages, and as many well-meaning men are deceived by the seeming plausibility of the sophism, we shall devote the remainder of this chapter to its refutation.

It is not the right of governments to inflict punishment until an offence has been committed. They have no right to tie the hands of citizens, or fasten drag chains to their legs, or to deprive them of any aliment or drink they may choose to indulge in, from fear that they may do some wrong. If a state assumes the right to suppress the sale and temperate use of wines and spirituous liquors, lest they may lead to intemperance and pauperism it has an equal right to suppress extravagance in houses, furniture, equipage, dress &c., and every species of speculation, by which men may be impoverished; and, as pride is a far more prolific cause of poverty than intemperance, it will be necessary to eradicate it from the human heart, to complete the reform. Scarcely a tenth of the pauperism of our country is caused by intemperance in drinking, howev-

as a fair statement from any almshouse will prove. Natural infirmities of body and mind, numerous diseases and disabilities, incident to human life and arising from a variety of causes, decrepitude, old age, death of parents in infancy and childhood, make up the catalogue of causes that produce most of the pauperism among our own people; but a great majority of the pauperism in the vicinity of our large cities is from foreign lands, for which our laws, habits or institutions are not responsible.—The average expense of pauperism (including foreign) in the United States, is said to be $100 per year for every 1000 inhabitants, or $2,000,000 for our entire population of 20,000,000. This is a very high estimate, but let us now see what amount of public revenue is derived from imported wines and liquors. From July 1, 1850, to June 30, 1851, the value of Distilled Spirits imported into the United States, as shown by the Treasury Report, was $2,627,860
Value of Wines imported, 2,359,279
Beer, Ale and Porter, 241,894

Total, $5,229,033
Of the above, Distilled Spirits pay 100 per cent duty, or $2,627,860
Wines 40 per cent, or 943,711
Beer, Ale and Porter, 30 per ct. 72,568

These articles then yield - $3,644,139 annually to government—nearly twice as much as the whole expense of all kinds of pauperism in the country. The amount paid by Tavern keepers for licenses, and fines collected for violation of the same, are doubtless still greater. By reference to the table on page 29, it will be seen that 50.000.000 gallons of whiskey, high wines, rum, ale, &c., are annually produced in the United States, giving employment to 5.487 men, whose families are supported thereby, while the millions of dollars worth of agricultural produce employed in the manufacture, make business for thousands of farmers and planters, whom it affords a market for their produce.

Crimes of a very serious nature are seldom committed by men while intoxicated. Indeed a drunken man is almost utterly unable to commit the worst and most frequent of crimes, such as murder, highway robbery, forgery, burglary, arson, larceny, rape, swindling, &c.—The offences committed by drunken men are rarely of a more serious nature than petty breaches of the peace, occasionally though seldom resulting in serious injury or death. Nineteen-twentieths of all the murders, robberies and other high crimes are committed by cold, calculating knaves, in their sober senses, necessarily temperate or abstemious for success in their cunning schemes, such as Monroe Edwards, Mitchell, Burroughs, Webster, Colt, Avery, Smith, Webb, Otis Allen, One-eyed Thompson, Niles, and nearly all the most notorious felons. In statistics of crime made up by tetotal fanatics, tracing so great a portion to intemperance, all are included under that head who have ever tasted liquor, and of course this includes nearly the whole community: but this method of fixing crime as a consequence of temperate drinking, by showing that most of criminals have at some time drank a little wine or brandy, is like the argument of the quack, that no one had ever died who had taken his nostrums, but upon investigation it was found no one had ever taken them.

That pauperism and crime result from drunkenness, in some cases, none will deny; but the long established laws of all the United States, the correctness and justice of which are universally admitted, prohibit drunkenness as positively and more effectually than the new laws of Maine, or any other law levelled at the entire banishment of stimulating drinks has yet done. In proof of this let the reader carefully peruse and consider the following articles of the statutes of New-York, [statutes similar to

which have always existed in every state in the Union,] regulating the sale and use of spirituous beverages:

From the Revised Statutes of New York, IIId Ed., Part I, Chap. XX, Title IX.

§ 7. Licenses shall not be granted to any person to sell strong and spirituous liquors and wines, to be be drank in the house of the seller, unless such person proposes to keep an inn or tavern, nor unless the commissioners are satisfied that the applicant is of good moral character, that he is of sufficient ability to keep a tavern, and has the necessary accommodations to entertain travelers, and that a tavern is absolutely necessary for the actual accommodation of travelers, at the place where such applicant resides, or proposes to keep the same; all which shall be expressly stated in every such license.

§ 8. Nor shall such license be granted, until the applicant shall have executed and delivered to the supervisor, or in case of his absence, one of the justices of the town, a bond to the people of this state, in the penal sum of one hundred and twenty-five dollars, with a sufficient surety to be approved by the board of commissioners, with a condition that such applicant, during the time he shall keep an inn or tavern, will not suffer it to be disorderly, or suffer any cock-fighting, gaming or playing with cards or dice, or keep any billiard table or other gaming table, within the tavern so by him kept, or in any out-house, yard or garden belonging thereto.

[The following sections are from Title 4th, Chap. 20, part 1, of the Revised Statutes of New York.]

§ 1. Whenever the overseers of the poor of any city or town shall discover any person to be an habitual drunkard, they shall, by writing under their hands, designate and describe such drunkard, and by written notice signed by them, require every merchant, distiller, shop keeper, grocer, tavern keeper or other dealer in spirituous liquors, and every other person residing within the city or town where such drunkard shall reside, or in any other city or town near to or adjoining such city or town, not to give, or sell, under any pretence, any spirituous liquors to such drunkard.

§ 3. If after the personal service of such notice, any such person shall knowingly give, or sell in any manner whatever, spirituous liquors to any such drunkard, except by the personal direction or on the written certificate of some physician, regularly licensed to practise according to the laws of this state, stating that such liquor is necessary for the preservation or recovery of the health of such drunkard, he shall forfeit for every offense the sum of ten dollars, for the use of the poor of the town where such drunkard resides.

§ 4. Every person upon whom the notice mentioned in section first, Title four, Chapter twenty, first Part of the Revised Statutes, has been served, shall be liable to the forfeiture prescribed in the second section of the same title, whenever any clerk, agent, or member of the family of such person shall knowingly give or sell in any manner whatever spirituous liquors to any person designated as an habitual drunkard, in the manner mentioned in said first section; except by the personal direction or on the written certificate of some physician stating that such liquor is necessary for the preservation or recovery of the health of such drunkard, as prescribed in such second section.

Could more positive laws than the preceding be devised for the prevention of drunkenness? Tavern keepers are bound by a heavy penalty to allow no disorderly conduct upon their premises. Boards of excise are bound to issue no licenses except to responsible persons of good character. No habitual drunkard can long procure liquor under this law, as it is made the duty of poor-masters to forbid all tavern keepers in their vicinity to sell any liquors to such persons. Yet such or similar laws have always existed in every State of the Union. Then what call has there been for the great *furore* that has been spreading throughout the country for highly penal laws, prohibiting the sale of liquors already governed by these wholesome restrictions? We shall be answered perhaps that these laws have not been generally enforced. But why not? Because they were already so stringent and severe as not to be sustained by the moral sense of the community. You may pile your statutes to the clouds, and clothe them with all the thunders of the Vatican, denouncing all the curses enumerated in the papal anathema, and if their justice and salutary character be not apparent to the people, or if there be not moral virtue enough in the community to enforce them, they become a dead letter—"hissing, but stingless."—The fact that former laws have not been enforced, is, therefore, conclusive evidence that they are already more stringent and severe than the sense of community will sanction, or else that there is not moral virtue enough in society to enforce them If the former be true reason, as we think, let the penalties be aeduced, and they will be more frequently inflicted, and thereby lead to a more general observance. All experience has shown that where penalties are too high, they are seldom or never imposed, and are soon forgotten or become dormant. If there is not moral virtue enough among the people to en

force the old laws now in existence, with whom does the fault rest? Have our Total Abstinence friends been remiss in applying the ample remedies afforded by our old laws, to the correction of abuses of which they profess to have so much knowledge? Have they neglected to make complaints to the proper officers, of all violations of law, which they deem so demoralizing and destructive,—and have they rather chosen to make a great outcry throughout the land for the purpose of gaining notoriety, or hoping to conjure up a storm upon which they might ride into office and power? If so, the sin lies at their own door, and is not chargeable to the laws.

CHAPTER V.

The New Liquor Law of the State of Maine.

As the Total Abstinence mania, under all its various phases of "Temperance," "Rechabite" "Washingtonian," "Sons of Temperance," &c., seems at last to have merged in favor of the New Liquor Law of Maine, which has been so widely talked of, and proposed for adoption in various states, but which comparatively few have had an opportunity of reading, we give it entire, and ask its friends to candidly compare its madcap provisions, with those quoted in chapter 4, from our old laws.

THE MAINE LIQUOR LAW.

Be it enacted by the Senate and House of Representatives in Legislature assembled, as follows:

SECTION 1. No person shall be allowed at any time, to manufacture or sell, by himself, his clerk, servant or agent, directly or indirectly, any spirituous or other intoxicating liquors, or any mixed liquors, a part of which is spirituous or intoxicating, except as hereafter provided.

§ 2. The selectmen of any town, and mayor and aldermen of any city, on the first Monday of May, annually, or as soon thereafter as may be convenient, may appoint some suitable person, as the agent of said town or city, to sell at some central or convenient place within said town or city, spirits, wines, or other intoxicating liquors, to be used for medicinal and mechanical purposes and no other; and said agent shall receive such compensation for his services as the board appointing him shall prescribe; and shall in the sale of such liquors, conform to such rules and regulations, as the selectmen or mayor and aldermen as aforesaid, shall prescribe for that purpose. And such agent, appointed as aforesaid, shall hold his situation for one year, unless sooner removed by the board from which he received his appointment, as he may be at any time, at the pleasure of said board.

§ 3. Such agent shall receive a certificate from the mayor and aldermen or selectmen by whom he has been appointed, authorising him as the agent of such town or city, to sell intoxicating liquors for medicinal and mechanical purposes only; but such certificate shall not be delivered to the person so appointed, until he shall have executed and delivered to said board, a bond with two good and sufficient sureties, in the sum of six hundred dollars, in substance as follows:

Know all men that we, ——— as principal, and ——— and ——— as sureties, are holden and stand firmly bound to the inhabitants of the town of ——— (or city as the case may be,) in the sum of six hundred dollars, to be paid them, to which payment we bind ourselves, our heirs, executors and administrators, firmly by these presents. Sealed with our seals, and dated this —— day of —— A. D. —.

The condition of this obligation is such, that whereas the above bounden ——— has been duly appointed an agent for the town (or city) of ——— to sell within, and for and on account of said town (or city), intoxicating liquors for medicinal or mechanical purposes and no other, until the —— of ——— A. D. —, unless sooner removed from said agency.

Now if the said ——— shall in all respects conform to the provisions of the law relating to the business for which he is appointed, and to such rules and regulations as now are or shall be from time to time established by the board making the appointment, then this obligation to be void; otherwise to remain in full force.

§ 4. If any person, by himself, clerk, servant or agent, shall at any time sell any spirituous or intoxicating liquors, or any mixed liquors whatever, part of which is intoxicating, in violation of the provisions of this act, he shall forfeit and pay on the first conviction, ten dollars and the costs of prosecution, and shall stand committed until the same be paid; on the second conviction he shall pay twenty dollars and the costs of prosecution, and shall stand committed until the same be paid; on the third and every subsequent conviction, he shall pay twenty dollars and the costs of prosecution, and shall be imprisoned in the common jail, not less than three months nor more than six months, and in default of the payment of the fines and costs prescribed by this section, for the first and second convictions, the convict shall not be entitled to the benefit of chapter 175 of the revised statutes, until he shall have been imprisoned two months; and in default of payment of fines and costs provided for the third and every subsequent conviction, he shall not be

entitled to the benefit of said chapter 175 of the revised statutes, until he shall have been imprisoned four months. And if any clerk, servant, agent or other person in the employment, or on the premises of another, shall violate the provisions of this section, he shall be held equally guilty with the prineipal, and on conviction shall suffer the same penalty.

§ 5. Any forfeiture or penalty arising under the above section, may be recovered by an action of debt, or by complaint before any justice of the peace, or judge of any municipal or police court, in the county where the offence was committed. And the forfeiture so recovered shall go to the town where the convicted party resides, for the use of the poor; and the prosecutor or complainant may be admitted as a witness in the trial. And if any one of the selectmen or board of aldermen or mayor shall approve of the commencement of any such suit, by endorsing his name upon the writ, the defendant shall in no event recover any costs; and in all actions of debt arising under this section, the fines and forfeitures suffered by the defendant, shall be the same as if the actions had been by complaint. And it shall be the duty of the mayor and aldermen of any city, and selectmen of any town, to commence an action in behalf of said town or city, against any person guilty of a violation of any of the provisions of this act, on being informed of the same, and being furnished with proof of the fact.

§ 6. If any person shall claim an appeal from a judgment rendered against him by any judge or justice, on the trial of such action or complaint, he shall, before the appeal shall be allowed, recognize in the sum of one hundred dollars, with two good and sufficient sureties, in every case so appealed, to prosecute his appeal and pay all costs, fines and penalties that may be awarded against him, upon a final disposition of such suit or complaint. And before his appeal shall be allowed, he shall also, in every case, give a bond with two good and sufficient sureties, running to the town or city where the offence was committed, in the sum of two hundred dollars, that he will not, during the pendency of such appeal, violate any of the provisions of this act. And no recognizance or bond shall be taken in cases arising under this act, except by the justice or judge before whom the trial was had; and the defendant shall be held to advance the jury fees in every case of appeal in an action of debt; and in the event of a final conviction before a jury, the defendant shall pay and suffer double the amount of fines, penalties and imprisonment awarded against him by the justice or judge from whose judgment the appeal was made. The forfeiture of all bonds and recognizances given in pursuance of this act, shall go to the town or city where the offence was committed, for the use of the poor; and if the recognizances and bonds mentioned in this section shall not be given, within twenty-four hours after the judgment, the appeal shall not be allowed, the defendant in the mean time to stand committed.

§ 7. The mayor and aldermen of any city, and the selectmen of any town, whenever complaint shall be made to them that a breach of the conditions of the bond given by any person appointed under this act, has been committed, shall notify the person complained of, and if upon a hearing of the parties it shall appear that any breach has been committed, they shall revoke and make void his appointment. And whenever a breach of any bond given to the inhabitants of any city or town in pursuance of any of the provisions of this act shall be made known to the mayor and aldermen, or selectmen, or shall in any manner come to their knowledge, they or some one of them shall, at the expense and for the use of such city or town, cause the bond to be put in suit in any court proper to try the same.

§ 8. No person shall be allowed to be a manufacturer of any spirituous or intoxicating liquor, or a common seller thereof, without being duly appointed as aforesaid, on pain of forfeiting on the first conviction, the sum of one hundred dollars and the costs of prosecution, and in default of the payment thereof, the person so convicted shall be imprisoned sixty days in the common jail; and on the second conviction, the person so convicted shall pay the sum of two hundred dollars and the costs of prosecution, and in default of payment, shall be imprisoned four months in the common jail; and on the third and every subsequent conviction, shall pay the sum of two hundred dollars, and shall be imprisoned four months in the common jail of the county, where the offence was committed; said penalties to be recovered before any court of competent jurisdiction, by indictment, or by action of debt in the name of the city or town where the offence shall be committed. And whenever a default shall be had of any recognizance, arising under this act, scire facias shall be issued, returnable at the next term, and the same shall not be continued, unless for good cause satisfactory to the court.

§ 9. No person engaged in the unlawful traffic in intoxicating liquors shall be competent to sit upon any jury in any case arising under this act; and when information shall be communicated to the court, that any member of any panel is engaged in such traffic, or that he is believed to be so engaged, the court shall enquire of the juryman of whom such belief is entertained, and no answer which he shall make shall be used against him in any case arising under this act; but if he shall answer falsely, he shall be incapable of serving on any jury in this state: but he may decline to answer, in which case he shall be discharged by the court from all further attendance as a juryman.

§ 10. All cases arising under this act, whether by action, indictment, or complaint, which shall come before the superior court, either by appeal or original entry, shall take precedence in said court of all other business, except those criminal cases in which the parties are actually under arrest, awaiting a trial; and the court and prosecuting officer shall not have authority to enter a nolle prosequi, or to grant a continuance in any case arising under this act, either before or after the verdict, except where the purposes of justice shall require it.

§ 11. If three persons, voters in the town or city where the complaint shall be made, shall before any justice of the peace or justice of any municipal or police court, make complaint under oath or affirmation, that they have reason to believe and do believe that spirituous or intoxicating liquors are kept or deposited, and intended for sale by any person not authorized to sell the same in said city or town, under the provisions of this act, in any store, shop, warehouse, or other building or place in said city or town, said judge shall issue his warrant of search to any sheriff, city marshal, or deputy, or to any constable, who shall proceed to search the premises described in said warrant, and if any spirituous or intoxicating liquors are found therein, he shall sieze the same and convey them to some proper place of security, where he shall keep them until final action is had thereon. But no dwelling house in which or in part of which a shop is not kept, shall be searched, unless at least one of said complainants shall testify to some act of sale of intoxicating

liquors therein, by the occupant thereof, or by his consent or permission within at least one month of the time of making said complaint. And the owner or keeper of said liquors, seized as aforesaid, if he shall be known to the officer seizing the same, shall be summoned forthwith before the justice or judge by whose warrant the liquor was seized, and if he fails to appear, or unless he can show by positive proof that they are of foreign production, that they have been imported under the laws of the United States, and in accordance therewith—that they are contained in the original packages in which they were imported, and in quantities not less than the laws of the United States prescribe, they shall be declared forfeited, and shall be destroyed by authority of the written order to that effect of said justice or judge and in his presence, or in the presence of some person appointed by him to witness the destruction thereof, and who shall join with the officer by whom they shall have been destroyed, in attesting that fact upon the back of the order by authority of which it was done; and the owner or keeper shall pay a fine of twenty dollars and costs, or stand committed for thirty days, in default of payment, if in the opinion of the court said liquors shall have been kept or deposited for the purpose of sale. And if the owner or possessor of any liquors seized in pursuance of this section, shall set up the claim that they have been regularly imported under the laws of the United States, and that they are contained in the original packages, the custom-house certificates of importation and proofs of marks on the casks or packages corresponding thereto, shall not be received as evidence that the liquors contained in such packages are those actually imported therein.

§ 12. If the owner, keeper, or possessor of liquors seized under the provisions of this act, shall be unknown to the officers seizing the same, they shall not be condemned or destroyed until they shall have been advertised, with the number and description of the packages as near as may be, for two weeks, by posting up a written description of the same in some public place, that if such liquors are actually the property of any city or town in the state, and were so at the time of the seizure, purchased for sale by the agent of said city or town, for medicinal and mechanical purposes only, in pursuance of the provisions of this act, they may not be destroyed; but upon satisfactory proof of such ownership, within said two weeks, before the justice or judge by whose authority said liquors were seized, said justice or judge shall deliver to the agent of said city or town an order to the officer having said liquors in custody, whereupon said officer shall deliver them to said agent, taking the receipt therefor upon the back of said order which shall be returned to said justice or judge.

§ 13. If any person claiming any liquors, seized as aforesaid, shall appeal from the judgment of any justice or judge by whose authority the seizure was made, to the district court, before his appeal shall be allowed, he shall give a bond in the sum of two hundred dollars, with two good and sufficient sureties to prosecute his appeal, and to pay all fines and costs which may be awarded against him, and in the case of any such appeal, where the quantity of liquors so seized shall exceed five gallons, if the final decision shall be against the appellant, that such liquors were intended by him for sale, he shall be adjudged by the court a common seller of intoxicating liquors, and shall be subject to the penalties provided for in section eight, of this act; and said liquors shall be destroyed as provided for in section eleven. But nothing contained in this act shall be construed to prevent any chemist, artist, or manufacturer in whose art or trade they may be necessary, from keeping at his place of business such reasonable and proper quantity of distilled liquors as he may have occasion to use in his art or trade, but not for sale.

§ 14. It shall be the duty of any mayor, alderman, or selectman, assessor, city marshal or deputy, or constable, if he shall have information that any intoxicating liquors are kept or sold in any tent, shanty, hut, or place of any kind for selling refreshments in any public place on or near the ground of any cattle show, agricultural exhibition, military muster, or public occasion of any kind, to search such suspected place, and if such officer shall find upon the premises any intoxicating drinks, he shall seize them, and arrest the keeper or keepers of such place, and take them forthwith, or as soon as may be, before some justice or judge of a municipal or police court, with the liquors so found and seized, and upon proof that said liquors are intoxicating, that they were found in the possession of the accused, in a tent, shanty, or other place as aforesaid, he or they shall be sentenced to imprisonment in the county jail for thirty days, and the liquors so seized shall be destroyed by order of said justice or judge.

§ 15 If any person arrested under the preceding section, and sentenced as aforesaid, shall claim an appeal, before his appeal shall be allowed, he shall give a bond in the sum of one hundred dollars, with two good and sufficient sureties, that he will prosecute his appeal, and pay all fines, costs, and penalties which may be awarded against him. And if on such appeal the verdict of the jury shall be against him, he shall, in addition to the penalty awarded by the lower court, pay a fine of twenty dollars. In all cases of appeal under this act from a judgment of a justice or judge of any municipal or police court, to the district court, except where the proceeding is by action of debt, they shall be conducted in said district court by the prosecuting officer of the government—and said officer shall be entitled to receive all costs taxable to the state in all criminal proceedings under this act, in addition to the salary allowed to such officer by law—but no costs in such cases shall be remitted or reduced by the prosecuting officer or the court. In any suit, complaint, indictment, or other proceedings against any person for a violation of any of the provisions of this act, other than for the first offense, it shall not be requisite to set forth particularly the record of a former conviction, but it shall be sufficient to allege briefly that such person has been convicted of a violation of the fourth section of this act, or as a common seller, as the case may be; and such allegation in any civil or criminal process in any stage of the proceedings, before final judgment, may be amended without terms and as a matter of right.

§ 16. All payments or compensation for liquors sold in violation of law, whether in money, labor, or other property, either real or personal, shall be held and considered to have been received in violation of law, and without consideration and against law, equity, and good conscience, and all sales, transfers, and conveyances, mortgages, liens, attachments, pledges, and securities of every kind, which either in whole or in part, shall have been for or on account of spirituous or intoxicating liquors, shall be utterly null and void against all persons and in all cases and no right of any kind shall be acquired thereby; and in any action either at law or equity, touching such real or personal estate, the purchaser of such liquors may be a witness for either party. And no action of any kind shall be maintained in any court in this state, either in whole or in part for intoxicating or spiritu ous liquors sold in

any other state or county whatever, nor shall any action of any kind be had or maintained in any court in this state, for the recovery or possession of intoxicating or spirituous liquors, or the value thereof.

§ 17. All the provisions of this act relating to towns shall be applicable to cities and plantations; and those relating to selectmen shall also be applied to the mayor and aldermen of cities and assessors of plantations.

§ 18. The act entitled "An Act to restrict the sale of intoxicating drinks," approved August sixth, one thousand eight hundred and forty-six, is hereby repealed, except the thirteen sections from section ten to section twenty-two, inclusive, saving and reserving all actions or other proceedings, which are already commenced by authority of the same, and all other acts and parts of acts inconsistent with this act are hereby repealed. This act to take effect from and after its approval by the governor.—*Approved June* 2, 1851.

CHAPTER VI.

A Brief Examination of some of the Provisions of the Maine Liquor Law.

In the present chapter we shall briefly review some of the provisions of the new liquor law of the State of Maine.

Section 2d provides for the appointment of mercantile agents of the state, in a manner not only new in the United States, but utterly incompatible with all ideas of republicanism. In a free country the avenues of trade and commerce are left open to its citizens, and in common with manufactures and agriculture are expected to be facilitated and encouraged by the state, rather than monopolized and destroyed. In monarchial countries, however, the ruling dynasties are prone to arrogate to themselves the most profitable branches of trade and commerce, or at least to restrict them by the imposition of duties and taxes yielding heavy revenues. "The best of governments is that which governs least," is the language of an eminent statesman. What, indeed, is tyranny but too much government? In observing the vast increase of public officers, all maintained by taxes on the people, that is being annually made, in most of our states as well as under the general government, every reflecting mind must be struck with apprehension that ere long we shall have as many masters, or public officers placed over us and paid out of our earnings as any government of Europe, however arbitrary. In what particular, then, shall we be better off than they? Of what avail is a republican form of government, if it be allowed to become as expensive and burdensome as a monarchy? If we are not to be free we might as well or better be ruled by one despot than a hundred or a thousand.—The only guaranty for the perpetuity of our liberties and happiness, rests in the preservation of our institutions unimpaired, as they were handed down to us by our fathers, with that nice adjustment of checks and balances to the legislative, judiciary and executive powers contained in our primitive constitutions; ever remembering not to delegate to our representatives any further powers than are absolutely necessary for the administration of civil government; and holding them to a strict accountability for every usurpation of power not so delegated or given in constitutions, from which alone our legislative bodies derive all their rightful powers over other citizens. The truth of these propositions all intelligent men must admit. In what light then, must an act of legislation be viewed, which, without any constitutional authority, creates some hundreds of new officers to be maintained by increased taxes upon the people, and to decide for them when they shall be permitted to have or use stimulating beverages? What a humiliating spectacle is presented by a people thus enslaved and degraded from the character of intelligent freemen to the condition of imbecile serfs! A temporary majority of the people of Maine, Massachusetts and Rhode Island abandoned the assumption of our

revolutionary ancestors, that man is capable of self-government, and have consented to the appointment of guardians over themselves, thereby laying down all claims to manliness and freedom.

This section also provides that these guardians of the people shall sell wines and liquors "for medicinal or mechanical purposes, and no other" not even for the celebration of the christian sacrament of "the Lord's supper," which it has been the custom of churches to commemorate from the time of its original institution. Thus, not only is the civil, but also the religious freedom of citizens invaded. It is true that most of the worldly churches of the day, with crafty clergymen at their head, who are seeking popularity and power, with little reference to scriptural instruction or institutions, have generally fallen in with the fashion, and substituted a kind of raisin broth for wine in the eucharist. Could a more contemptuous burlesque be devised? Wine is defined by every lexicographer, as is also the Greek word *oinos*, in the New Testament, from which it is translated, to be a liquor containing alcohol, among other ingredients, as an essential quality necessary to constitute it such. Consequently no mixture which does not contain alcohol can be called wine, without a direct falsification of language, and stultification of the understanding. But there are doubtless in Maine, as well as in other states, some christian churches, who will not readily abandon their religious institutions, at the unwarrantable dictation of their fellow men. Yet if they go into another state to procure wine for the eucharist, it is liable to seizure and confiscation upon the way, or even upon the communion table, unless, indeed, under the equivocal provision of a subsequent section which we shall hereafter examine, they may be able, if they possess sufficient wealth, to procure a large quantity of it, which they shall be able at all times to prove the importation of from a foreign country, although the ordinary means of proof are not allowed in such cases, viz: the Custom House certificate and the foreign brand upon the cask. Even such wine may be borne by an officer from the communion table, at the suggestion of a fanatic or evil disposed person, and kept from the possession of the church, during a litigation of the case, with its concomitant expense. We have not yet heard of a case of the kind during the short time the law has been in operation; but it is enough to ensure for it the condemnation of every friend of religious freedom to see that it provides for the perpetration of such an outrage on any occasion. The question naturally arises, are the people of New England ready to relapse into the state of religious intolerance and persecution that blackened their history during the last century, and stained their soil with the innocent blood of Baptists, Quakers, and other dissenters from the recognized sects of the state? and are the people of any other states anxious to imitate their example?

Some, perhaps, will say they disapprove of the feature of the Maine law, last referred to, and would propose its removal before its adoption in other states. But here they would fall upon the other horn of the dilemma; for if the use of wine were permitted to churches to celebrate the eucharist, the laws could not decide how often they should do so, nor at what place, nor what societies should be recognized as churches, without a union of church and state, and legislative interference with religious creeds and societies. Consequently, we might find small bodies of men in every village or neighborhood, meeting at private or public houses, every evening, claiming to be churches, and to celebrate the eucharist, while imbibing their accustomed beverage. The law would thus be made a dead letter. There is no half way ground,—a government, to be consistent with itself,

must be wholly free and republican, or tyranical, priestly and monarchial.

Section 8th provides that if farmers or others shall be guilty of expressing the juice from the fruit of their trees, and allowing it to ferment, or distilling the same, they shall for the first offence be robbed of $100 of their honest earnings, besides the cost of prosecution; and for the second offence $200, and the cost of prosecution; and for the third and each subsequent offence $200 and the cost of prosecution, besides being actually immured in prison four months! Did ever fanaticism reach a higher pitch in our country; or did bigotry and intolerance ever exhibit a more fiendish spirit of persecution? Will not posterity in some future age look upon the record of laws prescribing such plunder and persecution for the harmless act of pressing the juice from fruit and allowing it to ferment, with as much astonishment and horror as we, of this age, look upon the old blue laws of New England? And will they not be the more astonished when they read upon the same page that we, at the same time, supposed ourselves the most free and enlightened, liberal and independent people of any age of the world?

In section 9th, provision is made for packing juries, with a shrewdness that would have been appreciated in the Court of Star Chamber under Charles I. By this section, all persons are excluded from a jury by which unfortunate victims of fanatical malignity are to be tried, except such as can swear to having never violated the provisions of the new liquor law! Of course it was foreseen that but few except Tetotalers of the strictest sect would be able to take this oath, from the fact that a law so unreasonable and tyrannical would be generally violated in secret if not in public; and thus would the property and personal liberty of all dissenters be subjected to the mercy of their persecutors. Was an outrage like this ever before attempted in America? If not legal treason, is it not moral perjury and infidelity to our free institutions, and the state constitution each legislator is sworn to support? Citizens of Maine, of the highest respectability, comprising nearly or quite half, if not a majority of the community, are disfranchised from the privilege of sitting on juries, for which trust they are pronounced unworthy, because they cannot go through the newly instituted inquisition, to the satisfaction of their inquisitors, and are therefore suspected of violating a law of which they never have been convicted! This section of the law, if such a malignant and unconstitutional fiat of fanatics may be properly called a law, makes it partake of the character of the Spanish Inquisition, as well as of the infamous British Court of Star Chamber of a former century.

Section 11th permits any three idle vagabonds, from personal malice or hot-headed fanaticism, to cause the "store, shop, warehouse, or any other building or place," of any citizen, however respectable, to be overhauled, searched and turned topsey-turvey, upon their mere intimation of suspicion on oath or affirmation, that liquors may be therein; and the injured man, however innocent, has no legal remedy for the unfounded charge and base outrage! It also seeks to evade the Constitution and Laws of the United States, by excepting imported liquor from confiscation and destruction, at the same time it interdicts the usual and almost the only evidence to prove it such; so that, we presume, persons must be employed constantly to watch an imported cask from the custom house and at its place of storage until it is consumed, in order to be able to swear to its importation, as neither "the custom house certificates of importation, nor proofs of marks on the casks or packages corresponding thereto, shall be received as evidence."

Sections 6th and 15th, make the ex-

cise of the right of appealing from a judgment rendered upon the verdict of a packed jury, a crime of equal magnitude with the original offence, by doubling the penalties of fine and imprisonment in case of reversal.

Section 16th offers a bounty to any scoundrel who will call for a return of any amounts he may have paid for liquors, or who may refuse to pay for any he has purchased—the bounty to be equal to the amount of the purchase, and to come—not from the state—but from the person of whom he purchased, who is to be legally robbed for the purpose. In this section there is no exception in favor even of liquors that can be proved to have been imported.

Thus we find that the enactments of this burlesque upon the name of law, are as unconstitutional, tyrannical and absurd, as the penalties prescribed are barbarously severe. In fact, its whole character stamps it as the offspring of ignorance and bigotry. Its authors must have been as ignorant of law as of history and human nature.

CHAPTER VII.

The Antiquity of the use of Wine and other Alcoholic Liquors, and Bible Authority therefor,—Total Abstinence a Mahometan Doctrine.

The use of wine and other alcoholic liquors dates from the first detailed history we have of the human race, even from the time of Noah, who, with his sons, were saved from the general destruction, as the most righteous and beloved of God. He had evidently possessed antedeluvian acquaintance with the process of manufacturing wine from the grape; for, immediately after the receding of the water, we are informed that "he planted a vineyard, and he drank of the wine and was drunken." (Gen. ix. 20, 21.) Lot, also, the only righteous man saved from the destruction of Sodom and Gomorrah, was so accustomed to the use of wine that on two occasions, at least, he was imprudent enough to become intoxicated. (Gen. xix. 33, 35.) We are not to infer from the fact that these righteous men became drunk, that it is proper and right to do so; for in both instances we are informed of the most deplorable consequences resulting from their drunkenness; and the account seems to have been given as a warning against excess in the use of intoxicating liquors. It is also worthy of notice that while many precepts and examples are given in the Bible in proof of the evil results of intemperance, the temperate and free moderate use of wines and strong drinks is authorised, sanctioned, and even commended thro'-out the Old and New Testaments. It may not be improper here to cite a few of the hundreds of passages to which we might refer.

"And Melchizedek, King of Salem, brought forth bread and *wine*, and he was the priest of the most High God." Gen. xiv. 18.

In the blessing pronounced by Isaac upon his son Jacob, he drank wine, and said, "God give thee of the dew of heaven, and the fatness of the earth, and *plenty* of corn and wine." (Gen. xxvii. 25, 28.)

Again in the blessing given by Jacob to his son Judah, he said, "*His eyes shall be red with wine* and his teeth white with milk." (Gen. xlix. 12.)

In the blessing promised the chosen people if they harkened to and kept his judgments, God said he would bless the fruit of their land, their corn and *wine* and their oil. (Deut. vii. 13.)

The children of Israel are commanded to use wine, (Deut. xiv. 23.) and wine is provided for the priests. (Deut. xviii. 4.)

Moses says, "The fountain of Jacob shall be upon a land of corn and wine." (Deut. xxxiii. 28.)

The prophet Nehemiah reproved the Jews for depriving their brethren of their vineyards and their wine. (Neh. v. 2.)

The sacred psalmist says, in praising God, "Thou hast put gladness in my heart more than in the time their corn and their *wine* increased. (Psalms iv. 7.)

In reproving Israel for their ingratitude, God reminded them that he had given them corn and *wine* and oil. (Hosea ii, 8)

In promising renewed blessings to the chosen people, God says, "Behold I will send you corn and *wine* and oil, and ye shall be satisfied therewith, "and the floors shall be full of wheat and the fats shall overflow with *wine* and oil." (Joel ii. 19, 24.)

"The sons of the stranger shall not drink thy *wine*, for which thou hast labored; * * they that have brought it together shall drink it in the courts of my holiness. (Isa. lxii. 8, 9.)

"I will bring again the captivity of my people Israel, and they shall build again the waste cities and inhabit them; and they shall plant vineyards and *drink the wine* thereof." (Amos ix. 14.)

"The man after God's own heart," in his loftiest strains of adoration of divine wisdom and benevolence, says: "He causeth the grass to grow for thecattle, and herbs for the service of man, that he may bring forth food out of the earth, *and wine that maketh glad the heart of man.*" (Psalms civ. 14, 15.)

"Shall I leave my wine, which cheereth God and man?" (Judges ix. 13)

"There is bread and *wine* for me." (Judges xix. 9.)

In denouncing retribution upon the Jews for their disobedience, they are told, "the floor and the wine press shall not feed them." (Hosea ix. 2.)

"For she did not know that I gave her corn and *wine* and oil, * * therefore will I return and take away my corn in the time thereof, and my *wine* in the season thereof." (Hosea ii. 8, 9.)

Wine was ordered as an offering in acknowledgment of the goodness of Jehovah to the Jewish nation: "And the fourth part of an hin of wine, for a drink offering shalt thou prepare with the burnt offering." (Num. xv. 5.)

"And for a drink offering shalt thou offer the third part of an hin of *wine*, for a sweet savor unto the Lord." (Num. xv. 7, 10.)

David received a present of *wine*, among other provisions from Abigail, and he dealt out among all the people, "even the whole multitude of Israel, as well to the women as to the men, to every one a cake of bread, and a good piece of flesh, and a *flagon of wine*." (2 Sam. vii. 19; Hosea iii. 1.)

The prophet Daniel was so accustomed to use wine that he states it as a remarkable feature of his fast, that he took no *wine*, "till three full weeks were fulfilled." (Daniel x. 2, 3.)

"And in this mountain shall the Lord of Hosts make unto all people a feast of fat things; a feast of wine on the lees, of fat things full of marrow, of *wines on the lees*, well refined." (Isa. xxv. 6.)

"Ho, every one that thirsteth, come ye to the waters; and he that hath no money, come ye, buy wine and milk, without money and without price." (Isaiah lv. 1.)

"I have drunk my *wine* with my milk: eat, O friends, drink, yea, drink abundantly, O beloved." (Song of Solomon i. 5.)

"And thou shalt bestow thy money for whatsoever thy soul lusteth after; for wine or for strong drink, or for whatsoever thy soul desireth; and thou shalt eat before the Lord thy God, and thou shalt rejoice, thou and thine household."

The prophet Nehemiah, informs us that the daily provision of his table, while engaged in rebuilding Jerusalem, was "one ox, and six choice sheep, also fowls were prepared for me, and once in ten days, *stores of all sorts of wine.*" (Neh. v. 18.)

Esther prepared two banquets of wine. (Esther vii. 2.)

After advising kings and princes to abstain from their frequent customs of dissipation and inebriety, "lest they drink and forget the law, and pervert the judgment of any of the afflicted," we are told to "*Give strong drink* to him that is ready to perish, and *wine* to those that be of heavy hearts: *let him drink and forget his poverty and remember his misery no more.*" (Prov. xxxi. 5, 6, 7.)

Job, who "feared God and eschewed evil," allowed wine as a beverage, in his family. (Job i. 13.)

Elihu was not much of a Tetotaler. (Job xxxii.)

Solomon sought in his heart to give himself unto wine. (Eccl. ii. 3.)

The Old Testament thus presents an illustrious list of patriarchs and prophets of whose use of wine we are informed in the scriptures of divine inspiration without a word of reproof or the slightest intimation of divine disapprobation,—while on the other hand we find wine promised and given to the chosen people as a blessing. Are not the modern Tetotal clergy "wise above what is written," when they set themselves up as better standards of morality than the Bible or its inspired writers?

Having thus selected a few from the hundreds of passages with which the Old Testament abounds, authorizing and sanctioning the use of wine, we shall now refer to a few similar ones in the New Testament.

John the Baptist, it is said, came, "neither eating bread nor drinking wine," but Christ whom he presaged, and the latchets of whose shoes he admitted himself unworthy to unloose, "came both eating and drinking," and the pharisaical bigots of that day, as would their prototypes in our own times, said "Behold a gluttonous man and a wine-bibber, a friend of publicans and sinners. (Matt. ix. 19, and Luke vii. 34.)

Further evidence is also given that Christ and his apostles were accustomed to drink wine, from the account given us of his last supper, which his disciples have ever since celebrated, in obedience to its institution. (Matt. xxvi, 29; Mark xiv, 25; Luke xxii, 18.)

At the marriage in Cana of Galilee, when informed that the wine provided for the occasion was exhausted, the men having "well drunk," what was Christ's reply? Had his doctrine been that of modern Tetotalers, or of many of our clergy who profess to teach his doctrine, he would have answered that they would be better off without any wine, and taken the occasion to deliver a total abstinence lecture; but instead of that we read:

"And there were set there six water-pots of stone, after the manner of the purifying of the Jews, containing two or three firkins apiece.

Jesus saith unto them, Fill the water-pots with water. And they filled them up to the brim.

And he saith unto them, draw out now, and bear unto the governor of the feast. And they bare *it*.

When the ruler of the feast had tasted the water that was made wine, and knew not whence it was, (but the servants which drew the water knew,) the governor of the feast called the bridegroom,

And saith unto him, Every man at the beginning doth set forth good wine, and when men have well drunk, then that which is worse: *but* thou hast kept the good wine until now.

This beginning of miracles did Jesus in Cana of Galilee, and manifested forth his glory; and his disciples believed on him." (John ii. 6. 12.)

Thus the ancient and beautiful custom of having wine to cheer the company attending weddings, observed even to the present day, was sanctioned by Christ, who provided it liberally, (six water pots, containing two or three firkins apiece,) and of such a quality that the governor of the feast pronounced it better than that they had already drank. As to the quality of the wine used at weddings in Palestine, the Abbe Mariti says:

"At the birth of a son or a daughter, the father causes a jar, filled with wine, to be buried in the earth, having first taken the precaution to seal it hermetically. In this manner it may be kept until these children marry. It is then placed on the table before the bride and bridegroom, and is distributed among their relations, and the other guests invited to the wedding. (Travels in Cyprus, vol. 1, page 259.)

Hence the wine commonly in use at weddings in that country must have attained a considerable strength, and the governor of the feast, not knowing whence it came, pronounced that produced by the miracle as of a superior quality. To question the fact that the wine produced by Christ, contained all the essential properties of wine, as some blind bigots have done, is to charge Christ with jugglery and imposition, and to deny the performance of the miracle he professed to accomplish.

Paul says "Let no man judge you in meats or in drinks, or in respect to an holy day." (Col. ii. 16.) And again to Timothy, "Drink no longer water, but take a little wine," &c. (1 Tim. v. 23.)

"No man having drunk old wine straightway desireth new, for he saith the old is better." Luke v. 39.

From the references we have made to the New Testament it will be seen that Christ and the inspired apostles were also accustomed to the use of *wine*. So that the denunciations heaped upon the opponents of tetotalism, also include Christ and and his apostles, as well as all the prophets and inspired writers of the Old Testament.

We have known some Tetotal fanatics, however, to attempt to avoid the overwhelming array of Bible examples for the use of wines, by saying that the wines commended were not possessed of intoxicating properties. Unfortunately for this subterfuge, all wine possesses the property of intoxicating, if taken to excess, as will be seen by reference to any large English dictionary. Alcohol is invariably generated by the fermentation of the juices of grapes and other fruits, and is an essential ingredient to form wine. Grape juice, before fermentation was never called wine, by any man in his senses, any more than cider is called whiskey before distillation, or grain called flour before grinding, or flour called bread before mixing and baking.

In the original Hebrew of the Old Testament the word *yayin* is that which is translated wine, and *shekhar* is the Hebrew word that is rendered *strong drink*, both being defined by all Hebrew

lexicographers to denote intoxicating liquors, and neither of them is used in any text of the Old Testament or by any Hebrew writer to signify any other than intoxicating liquors. The former word *yayin* is entirely synonymous with the English word wine, and with the Greek *oinos*, which is used in the New Testament texts, rendered wine in the English version. Shekhar is also defined as strong, sweet or mixed wine, and is the general term employed to denote all kinds of intoxicative drinks. The ancients were accustomed to mingle myrrh and other spices and substances with their wines to make them more strong and spirituous, in the same way that grains of paradise and other similar ingredients are mixed with ale and other liquors at the present day, to make them more highly intoxicating.

The intoxicative properties of the Hebrew *yayin* (or wine,) and *shekhar* (or strong drink) is also further shown by hundreds of passages in the Old Testament, condemning drunkenness. Excess in the use of *oinos* (wine) is also as fully denounced in the New Testament as its temperate and proper use is commended and sanctioned. See Eph. v. 18; 1 Cor. v. 11; 1 Cor. vi. 10; Matt. xxiv. 49—51; Luke xii. 45, 46; Luke xxi. 34; 1 Thess. v. 7, 8; Gal. v. 19, 24; Rom. xiii. 13.

Some time since the following rewards were offered by the author of this pamphlet, through the *Banner of Liberty*, published by him, and circulating in every State of the Union, viz:

One pair of gold spectacles
One " fine kid gloves,
One finely mounted gold-headed cane,

to any priest or clergyman who will refer us to a solitary passage in the Bible, condemning or discountenancing the temperate use of wines or any other liquors, by mankind generally. Yet we have not received a single application for the reward. We therefore renew the offer, with our original proclamation *Hear ye! Hear ye! priests, pharisees, and fanatics, come forward, or for ever after hold your peace!*

Notwithstanding the evidence with which the Bible abounds of the prevalence of drunkenness, in common with other evils, from the earliest ages, and the evils consequent upon it, and the numerous denunciations of it in the sacred writings, not one passage thereof can be found to condemn or disapprove the temperate use of wine and strong drink, or commendatory of total abstinence as a remedy. Yet some of the puffed up priests or aspiring clergy of our day, imagine themselves more wise and benevolent than Jehovah or his prophets or Christ or his disciples, in prescribing abstinence instead of temperance in the use of wine; and they do not even hesitate to cast the most virulent imputations upon their opponents, for following the scriptures as a guide in morality.

Total Abstinence is not however an invention of modern times. The Pharisees probably leaned towards it, for they denounced the Saviour as a wine bibber, although he never made intemperate use of it. The Aquarian heretics of the third century attempted to introduce tetotalism into the Christian church. The great imposter Mahomet also made it a prominent feature of his doctrine, as will be seen by the following quotations from the Koran

" They will ask thee concerning wine and lots. Answer, in both there is great sin, and also some things of use unto men, but their sinfulness is greater than their use."—*Sale's translation of the Koran, chap. ii. p.* 39.

" O true believers, surely *wine*, and lots, and images, and divining arrows, are an abomination, and of the work of Satan, therefore avoid them that ye may prosper; Satan seeketh to sow dissension and hatred among you by means of wine and lots, and to divert you from remembering God, and from prayer. Will ye not, therefore, abstain from them?"—*Chap. v. p.* 140.

" In those that believe and do good works, it is no sin that they have tasted wine or gaming *before they were forbidden.*"—*Ibid.*

"Moreover, whatever inebriates shall be esteemed wine, and all wine is prohibited, God has cursed wine, and the person drinking it, tasting and pre-

senting it to others, buying it; selling it, treading grapes and expressing it; and also the persons receiving it, or eating anything bought with the money for which it was sold. Shun wine, for it is the key to all evils."—*See Refutatio Alcorani, p.* 287.

Here is clear Mahomedan authority for Total Abstinence, and we respectfully suggest that those of our clergy who are so noisy upon the subject, strip themselves of their disguise, and avow themselves Mahometans at once. Let them prate no more about their christianity until they have abandoned their fanaticism, or found passages in the Bible sanctioning their sentiments in such clear and decided language as we have helped them to from the Koran.

CHAPTER VIII.

Adulteration of Foreign Wines and Liquors—Remedy—Comparison with ancient Wines and other Stimulants—Workings of the Maine Law—Statistics—Conclusion.

That foreign wines and liquors commonly in use in this country are often much adulterated we do not doubt; and that unhealthy ingredients are frequently used for the purpose is well known; and we wish it distinctly understood that we are no apologist for poor liquor. If the Tetotal philanthropists would confine their crusade to the prosecution of offenders for mingling unhealthy substances with articles intended to imitate or counterfeit genuine articles for human consumption, we should cheerfully lend a helping hand. But the onslaugh should not be confined to spirituous liquors and wines. We have never experienced as ill effects from the use of the poorest liquor we ever drank as from drinking stuff called Sarsaparilla, Soda Water, Small Beer, &c.; and impartial experience has taught us to be more apprehensive of injury from sloppy drinks, than from ordinary spirituous liquors. Candies that are sold to our children are said to be colored with the most poisonous substances. Arsenic is mixed with putrid tallow and other stuff to form imitations of sperm candles, and the ignorant consumer inhales the poisonous fumes until some fatal disorder is seated in his system. Jars for sweetmeats and preserves, are often glazed with the most poisonous materials; Chocolate, Cayenne pepper, drugs and medicines, and hundreds of other substances are closely counterfeited by poisonous compounds with which the country is filled; and we might name almost every article of commerce as among those in which fraud is practised without regard to the injury consequent to the interests of the consumer. When the hearts of all men have become pure, and not until then, can we rely upon the purity of manufactured articles we may purchase. Poisonous qualities are also found in vegetables, from defective growth or some natural disease, as has been of late the case with the potato, to which the vegetable kingdom, as well as the animal, appears to be subject; and a close analysis might be as unfortunate for us as for the Hindoo philosopher who eschewed every article of food involving the loss of animal life, and when shown through a microscope that every drop of water contained millions of living animalculæ, he gave up in despair and resumed the eating of whatever his appetite craved.

The most effectual means of which we can conceive for the amelioration of the evil of adulterated spirituous liquors, would be the reduction of the present import duty levied by our government upon them, amounting to as much or more than their prime cost in the countries where they are produced. This would make them cheaper and greatly lessen the inducement to adulterate them. If, for instance, the duty levied upon

brandy were reduced from its present rate of 100 per cent to twenty per cent, pure brandy could be afforded for little more than half its present price, and the difference between its reduced value here and that of whiskey or alcohol, which form the body of the material used in its adulteration, would be so much less as to wholly remove the inducement for its deterioration, while, at the same time, the revenue derived by the government would be kept up or increased by enlarged importation, even though no more real brandy should be consumed than is now used under that name. Travellers in the vine growing countries of Europe and Asia, where wine and brandy abound at such prices as to place the genuine within reach of all classes, who use them in profusion, agree that drunkenness is no more common than in the United States, while the effects of the purer liquors are far less deleterious. In former years, when the liquors used in the United States were mostly of domestic manufacture, far less injury resulted from their consumption, than is now experienced from the use of foreign wines and liquors which have been more extensively introduced of late years under a duty so heavy as to give the highest inducement to adulteration, which can only be obviated by a reduction of the imposts.

The wines and liquors of the United States, even at the present day, are vastly more pure and healthy than were the wines of ancient times, before the invention of the art of distillation, when mixing and drugging with every other substance calculated to increase their strength was resorted to. That the ancient wines thus drugged, were more stupefying and injurious than our liquors, may be learned from the cases of Noah and Lot, as well as from numerous other passages of Scripture, and also from many occurrences related in history, like that narrated by the great standard historian, Rollin, in which forty members of Alexander's court died from one drinking spree. (B. C. 320.) Whoever heard of such fatal results attending any modern carousal, in our own country or any other, since the introduction of the art of distilling, by which the strength of alcoholic liquors may be increased, without resorting to the numerous unhealthy drugs that were formerly employed for the purpose?

That the use of stimulating beverages is sometimes abused is no more an argument for prohibiting their use entirely (even if it were possible) than is the fact that firearms, cutlery, food, fire, or even water are frequently used improperly, even to the destruction of life, an argument for the entire prohibition of their use. Yet who would think of banishing fire-arms and cutlery from the country, because some are foolish enough to commit suicide with them, or by carelessness to injure themselves, or even maliciously to wound or murder their fellow men? Who would think of commanding all to abstain from food because some impair their health and destroy their lives by aggormandizing,—or from water, because, when overheated, hundreds kill themselves every year by its immoderate use?—or from fire, because it is the instrument of immense evil in the hands of the incendiary and its improper or incautious use results in the loss of life and ruinous conflagrations?

Not only have vinous and malt liquors been used by mankind from the earliest ages of which we have any account, but even the savage tribes of the forest, and the aborigines of every island or isolated portion of the earth have been found in possession of stimulating herbs or preparations. There are times and conditions of the human system when stimulants are useful, and their use in one form or another is among the natural habits and tastes of man, from which no artificial scheme can alienate or estrange him. The Chinese use *tea* and *opium*

chiefly, while the Turks, Arabs, Egyptians and most other Mahometans use *coffee* and *opium* and (although mostly tetotalers in reference to wines and spirits) they use their particular stimulants of a strength and to an excess unknown in America, where, as in most of Europe, wines and spirituous liquors and tobacco are generally used instead, with how much less injurious effects is shown by the superiority of the European and American character.

We call the especial attention of those who honestly believe that alcoholic drinks cause nearly all the evils flesh is heir to, to the present condition of the Turks, Egyptians and Arabs, after more than a thousand years' experience of all the blessings and benefits derivable from Total Abstinence from wines and spirituous liquors. If their theory were correct, we should at this period of the history of those people expect to see them the most moral, happy, prosperous and intelligent of any on the face of the earth. But on the contrary, we find them the most degraded, barbarous and miserable beings of the human race.

The pretence that in Maine or elsewhere the attempt to revolutionize the natural habits of men, has been successful, is sheer deception. Ignorant fanatics and brawling loafers, perambulating the country as Temperance lecturers, often quote pretended statistics from Neal Dow, or some of his lacquey officials in Portland, trumped up and concocted soon after the new liquor law was put in operation, in proof that the use of liquor has been greatly diminished, and that pauperism and crime have been greatly reduced. But who cannot see through the farce? As we have already remarked, in a former chapter, the traffic has been transferred from public and respectable houses, to more private and less reputatable places of resort, and it would be strange indeed if, in the very hot-bed of tetotal fanaticism, there were not enthusiasts enough to keep down the number of poor-house occupants for a time, by private contributions; and subsidiary officials willing to wink at ordinary breaches of order, for the purpose of making a favorable show of the operation of the law, and to establish an apparent relationship between the pretended diminution of drinking and an improved state of morals. But, unfortunately for the statistics thus trumped up, after a few months operation of the law, later returns show the usual average of inmates of the poor-house and prison of that city, and, *mirabile dictu*, the great Dagan of the Tetotalers, the author of the magic new law, Neal Dow, was recently defeated for the mayoralty of Portland, by some four or five hundred majority, notwithstanding his party majority, by which he had been elected last year, was about as large as that by which he is defeated at this first opportunity afforded the people to record their verdict upon the new law. Speaking of the result of this election, the *Portland Pleasure Boat*, edited by an ultra Tetotaler, says :

> "The *Showhegan Clarion* thinks the municipal election in this city was not a triumph of rumocracy over the liquor law, that Mayor Paris [the new mayor elect who defeated Neal Dow] will enforce the law. The *Clarion* is mistaken—the question was "rum or no rum," and was answered in favor of rum."

Is it not strange, that if such good results flowed from the operation of the Maine Liquor law in Portland as the trumped up statistics of the tototalers indicated, that the people of that city should have so soon become tired of it, and given such an overwhelming verdict against its author and zealous enforcer? Does not this fact prove that the people are not prepared to appreciate its pretended blessings, even in Portland? If not there, pray where?

The impossibility of excluding liquor from a state connected as are each of the United States with thirty others, in most of which the trade is untrammeled, must be apparent to all sensible men. Goods

sent from one of our states to another have to pass no custom house inspection, and no one has a right to break open boxes, barrels or hogsheads, *in transitu*, to ascertain whether casks of liquor are not enclosed. Even if a State possessed this right or should attempt to exercise it, an immense army of officers would have to be sustained by the tax-payers, for breaking open and overhauling all packages, and the commerce of the State would be injured, if not destroyed. Aside from the smuggling of liquors inside of other coverings, any desired amount may be sent into a State by merely mixing a homopathean portion of some harmless spice or other substance with the various liquors, and putting them up in bottles marked as medicines for general debility, depression of spirits, &c.,—under seal of the United States, as patent medicines, which may be sold at any store or shop. With such medicines the state of Maine is now filled. The directions upon a bottle presented to us, coming from a firm that has sent several hundred thousand bottles of this medicine into Maine, are that it is to be taken before eating, during meals, or after eating, according to the inclination of the patient, and as frequently as the nature of his case may seem to require.

The suppression of the *manufacture* of liquors in Maine and Rhode Island, is a matter of small importance, as it will be seen from the following table, that neither of those states had a dozen men engaged in such manufacture, nor more than $17,000 invested therein, in 1850 when the last United States census was taken, from which the table is compiled. In modelling the law for adoption in Massachusetts, where it will be seen a greater number of men are engaged, and a large amount of capital invested in the manufacture of liquors, a provision was introduced, allowing the continuance of the business for expor tation from the state, as a conciliatory compromise to mitigate the adverse influence of this heavy interest. The absurdity and inconsistency of this miserable dodge is too apparent to require any considerable comment. The idea of allowing men to manufacture articles the use of which is prohibited to them, is certainly a novel one, and worthy of a State in the principal city of which men are fined and imprisoned for smoking in the streets, and inoffensive children whose parents do not choose to send them to the worthless public schools to be proselyted to bigoted sectarianism, are seized, torn from their parents and thrust into the House of Correction for years, and finally bound out to strangers. We presume it will be necessary for the tax-payers to sustain a few thousand additional public officers to watch each barrel of spirituous or malt liquors from the place of its manufacture until it passes out of the jurisdiction of the State.

A glance at the table will show the extent to which each state is engaged in the manufacture of the articles made contraband by the Maine law, and all can judge therefrom the extent of the results that would follow the adoption of that law, with or without the Massachusetts modification, in each state

SPIRITUOUS AND MALT LIQUORS PRODUCED IN THE UNITED STATES AND TERRITORIES DURING THE YEAR 1850—COMPILED FROM THE RETURNS OF THE SEVENTH CENSUS :—

States.	Capital invested.	Hands employed.	*Quantities of Liquor produced.* Barrels of ale, &c.	Gallons of whiskey and high wines.	Gallons of rum, &c.
Maine	$ 17,000	5	—	—	220,000
Vermont,	7,000	2	800	—	—
Massachusetts	457 500	131	25,800	120,000	3,786,000
Rhode Island	17,0'00	9	3,900	—	—

States.	Capital invested.	Hands employed.	Quantities of Liquor Produced. Barrels of Ale, &c.	Gallons of Whiskey & Highwines.	Gallons of Rum, &c.
Connecticut	$15,500	20	—	130,000	1,200
New York,	2,585,000	1,380	644,700	9,231,700	2,488,800
New Jersey	409,655	197	34,750	1,250,530	—
Pennsylvania	1,719,960	911	189,581	6.548,810	1,500
Maryland	247,100	126	26,380	787,400	—
Virginia	100,915	123	5,500	879,440	—
North Carolina	21,930	75	—	153,030	—
South Carolina	3,475	33	—	43,900	—
Georgia	7,150	15	—	60,450	—
Alabama	500	2	—	—	3,006
Louisiana	8,500	8	3,000	—	—
Kentucky	168,895	274	19,500	1,491,745	—
Tennessee	66,125	159	—	657,000	—
Missouri	298,900	179	44,850	939,400	—
Ohio	1,262,974	1,033	96,943	11,865,150	—
Indiana	334,950	287	11,005	4,639,900	—
Illinois	303,400	274	27,925	2,315,000	—
Michigan	139,421	98	10,320	690,900	—
Iowa	19,500	19	—	160,600	—
Wisconsin	98,700	98	31,320	127,000	—
New Mexico	7,300	21	—	42,000	—
Utah	3,000	3	300	—	—
Dist. Columbia,	12,000	5	1,350	—	—
Total,	$8,334,254	5,487	1,177,924	42,133,955	6,500,500

In conclusion, we will only say that we think we have clearly shown that states have no right to regulate the drinks of their citizens,—that they cannot if they attempt it—that the Maine Liquor law is an abominable mass of outrage and folly,—that alcoholic liquors have been used by man in all ages, and with the sanction of the scriptures that christians profess to reverence. The inference that we must draw, therefore, is that although thousands of well meaning men have been deceived and inadvertently led to sanction the Total Abstinence fanaticism, it is fomented only by ignorant and designing demagogues, colleagued with a corrupt worldly-minded clergy who are seeking to make tetotalism a pretext for dabbling in legislation and a hobby upon which to ride into political power, and bring about a union of church and state, which seems to be the millennium for which they most devoutly pray. *When the popular clergy of a country throw down their Bibles to grasp the sword and sceptre of state power, the bloodiest pages of the world's history warn us, in language not to be mistaken, that it is time for the people to arouse.*

ADDENDA.

Since the preceding pages were stereotyped, the opinion expressed in chapt. six, that the Maine Liquor Law is unconstitutional, (as must be all similar enactments in any State of the Union,) and, therefore, null and void, has been confirmed by the decisions of Chief Justice Shepley of Me.; the Justices of the Supreme Court of New Hampshire; the Chief Justices of Rhode Island; the Supreme Court of Minnesota; the City Solicitors of Boston; the opinions of Gov. Clifford of Massachusetts, and Gov. Crosby of Maine,—(the latter of whom has declared the law at present inoperative, in consequence of the powerful array of judicial testimony against its validity, and called upon the Supreme Judges of the State for a formal decision of the point.) The unanimous concurrence of all the higher judicial tribunals to which the question has been submitted, with the opinion previously expressed by the author of this pamphlet, relative to the unconstitutionality of the Maine Liquor Law, has even staggered the blind fanatics of Portland, the "holy city" of the Tetotal Crusaders, with Neal Dow for its prophet,—as will be seen by the following paragraph which we extract from the leading organ of the tetotal fanatics, the "Eastern Argus," of Portland, under date of Januury 26, 1853:

"MAINE LIQUOR LAW—WHAT SHALL BE DONE WITH IT?—What is the present constitutional position of the law? This is a proper question for both its friends and opponents to consider. It is one that *must* be regarded sooner or later—and the sooner the better, for the interests and peace of the people at large. In our State, it has been ruled against by the Supreme Court, on one or more points. In Rhode Island, the decision of Judge Curtis, of the United States Circuit Court, and one of the Justices of the Supreme Court of the United States, has so paralyzed the law, that its friends dare not execute it—not a Justice of the Peace will receive a complaint under it—and liquor is now sold openly everywhere. A new enactment—intended to avoid the legal objections raised by Judge Curtis—is now before the Legislature of that State. It is said to be equally stringent with the previous Act, but more consistent with constitutional law. The Massachusetts Legislature have under consideration, several propositions both for the amendment and repeal of the law, the result of which we shall probably soon know. The Justices of the Supreme Court of New Hampshire, it is very well known, raised some eight points of objection to the constitutionality of the law, as submitted to them. To come back to Maine. Under this condition of things, it must be clear to ever reasonable mind that, if the law is to stand as it now does, it will be almost, perhaps entirely, a dead letter. Justices of the Peace, while so many and such grave doubts exist relative to its constitutionality, will gradually cease to issue warrants; and the officers will refuse to execute them if issued, or enter complaints."

After making these frank admissions, the "Argus" goes on to urge the friends of the law in the Legislature, to advocate its amendment in such a manner as to obviate constitutional obstacles; but this would require as thorough an amendment as that of the boy's knife, to which he got new blades and handle. It could only be made constitutional by striking out all after the introductory clause, "Be it enacted."

Notwithstanding the fanatical bigots of New England dare no longer attempt the enforcement of the Maine Law abortion, in its present form, and are trembling in the prospect of the fearful retribution at hand, when they shall be mulcted in heavy damages, greatly exceeding the value of the liquors illegally destroyed in their Vandalic depredations, yet they will fight hard for its resurrection, by amendments, from its judicial tomb.

☞ Since the foregoing was written, as an Addenda to our third edition our prediction has been verified by the appendage of no less than *fourteen amendments* to the magic Maine Law, which was claimed to be the very essence of perfection, and as such was furiously urged for immediate adoption in other States, and all who presumed to question its provisions, were denounced in the coarsest and most envenomed language. But already, forsooth, its friends and projectors have been constrained to publicly acknowledge its miserable imperfection, by attempting to patch up the tattered thing, with numerous amendments more lengthy and more absurd, if possible, than the original law. It would not be worth while, had we the necessary space, to copy these amendments. They bear the impress of maddened folly in desperate extremity, and will be found to be entirely incapable of restoring life to the defunct Maine Law, which has already become a dead letter, having performed its diabolical mission of evil, without any beneficial effects, whatever. A law of eighteen sections amended by the appendage of fourteen additional ones! What a precious model of legistative perfection! Truly, this is "sewing new cloth to an old garment," with a vengeance. One would think we should hear no more of this "Maine Law," abortion abroad, except as a bye-word and jest, yet despite the salutary lessons afforded by the already exploding experiments of the Eastern States, as well as of the clear teachings of former experience, there will not be wanting demagogues in other States to urge forward similar futile disastrous and [illegible] sive schemes, which can only be thwarted in time to shun their concomitant train of evils, by a timely arousal of sensible citizens, and the spread of intelligence, by means of documents and otherwise.

MAINE LIQUOR LAW DEBATE.

This pamphlet is a re-publication of the report of a Debate held at Clinton, N. J., between Rev. Mr. McNeir, of Clinton, and G. J. Beebe of Middletown, N. Y., which was originally published in the *Banner of Liberty*. The demand for the numbers of that paper containing it soon exhausted the large extra edition issued, and numerous heavy orders which it was, therefore, impossible to supply with copies of the paper, rendered it necessary to re-issue the Debate in pamphlet form.

The price at which we furnished the numbers of the *Banner* containing it, was 25 cents per set, or $1 for five sets. The price of the pamphlet is only 12½ cents per copy, or $1 for 10 copies; $6 per 100, or $50 per 1,000 copies. It will be promptly sent to any address for which we shall receive payment, free of postage, freight or express charges.

Many thousand copies of the above pamphlet as well as of the *Sure Cure for the Tetotal Mania*, have been already sold in almost every State of the Union, to circulate among citizens as well as to supply members of Legislatures; and numerous assurances have been received by the publisher that they have been instrumental—in three states at least—in defeating the enactment of fanatical laws similar to that recently adopted in Maine, as well as in correcting the erroneous views so prevalent, relative to the virtue of restrictive laws concerning the sale of spiritous liquors.

They will be sent, on the terms stated above, to any part of the United States, by mail or express, with all transportation charges pre-paid by the publisher, on receipt of orders, accompanied by payment for the same.

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History of Priestcraft in America.

Containing an account of the origin of the New England Puritans—their infernal persecutions in the Eastern States, &c.,—The Salem Witchcraft as a trick of the Clergy—The Persecutions of the Established Episcopal Church in Virginia and other States—their overthrow in the Revolutionary struggle through the instrumentality of Patrick Henry, Thomas Jefferson and other enlightened patriots,—The toryism of the Clergy—their efforts to retain their power—their crafty schemes for obtaining an ascendency over our free institutions, from the time of the Revolution to the present day, together with a thorough exposure of the numerous tricks ahd hypocritical pretences under which they have robbed and still continue to plunder the people of the United States, through the State and General Governments, as well as through impositions successfully practised for defrauding the masses, independently of political power to enforce their demands, the whole of which will be shown to be entirely anti-christian, immoral, inhuman, and infernal—and imminently dangerous to our dearest rights and liberties.

This work is now being written and will be published during the ensuing autumn. It will contain about 64 large double column pages, well bound in paper covers. It will be mailed—postage paid—to any part of the United States for 25 cents per copy; $1 for 5 copies; $2 per dozen, or $15 per hundred. Address orders to G. J. BEEBE, Middletown, Orange County, N. Y.

A SURE CURE FOR THE TETOTAL MANIA

AND A QUIETUS FOR THE MAINE LIQUOR LAW.

This pamphlet has been issued as an antidote to a serious and prevalent mental disorder, that seems extensively to pervade our country, threatening the destruction of our rights as freemen. The insiduous and persevering efforts of the leaders and victims of this monomania, to secure to themselves a monopoly of legislative offices, which appear, at the present time, by concerted arrangements, to be redoubled throughout the Union, suggested to the author the propriety of the present publication, in which he feels assured that he has refuted every prominent position of the Tetotalers, and driven them from every imaginary stronghold. If we have failed in any particular, we shall be thankful to any advocate of Tetotalism, to call our attention thereto, by letter, post-paid; and we will endeavor to supply the omission, through the columns of our periodical,(the *Banner of Liberty*, of which an advertisement is below given,) or through any other journal circulating 10,000 copies or upwards, the columns of which may be proffered for the purpose: or from a public rostrum, (if so arranged) in debate with any respectable clergyman in the United States who will meet us in any town or city, half way between our respective residences, and share the expense of procuring a suitable place of meeting, together with half the proceeds, if an admittance fee be thought advisable. Clergymen are particularly designated in this challenge, because they are the most active fomenters of the fanaticism as a corrective of which this pamphlet is designed,—and because we apprehend more evil to our country from the priestcraft connected with the liquor mania, than from any other of its numerous anti-republican features.

The price of this pamphlet is 12 cts per copy; $1 for 10 copies; $5 for 60 copies. It will be furnished in larger quantities at a still further reduction of price. Letters, enclosing payment for the number of copies ordered, may be sent by mail, addressed to the subscriber, at Middletown, Orange county, N. Y., and they will be promptly forwarded by Mail or Express, as may be preferable.

Middletown, Orange Co., N. Y., Sept. 1, 1852. G. J. BEEBE.

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